

DOCKET FILE COPY ORIGINAL

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Admitted in Ohio, Illinois and the District of Columbia

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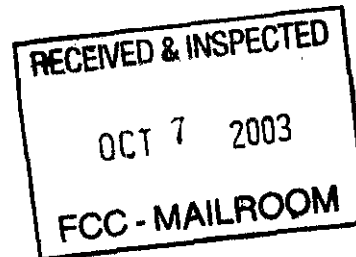
27600 Chagrin Boulevard

Suite 260

Cleveland, OH 44122

(216) 514-3336

fax (216) 514-3337



Express Mail ET716362939US

Appeal, and request for Expedited Relief, to the Federal Communications Commission on behalf of Fayette County School District

October 2, 2003

Secretary
Office of the Secretary
Federal Communications Commission
445 - 12th Street, S.W., Rm TW-204B
Washington, D.C. 20554

This is an appeal from a decision by the Schools and Libraries Division of the USAC.

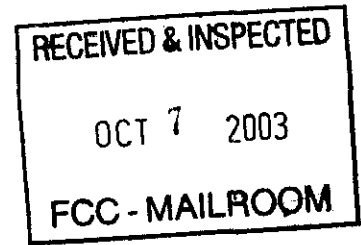
Enclosed are the original and four copies of the Appeal. An extra copy is also enclosed. Please time stamp the extra copy and return it to me in the enclosed self addressed-stamped envelope.

Nathaniel Hawthorne
Attorney for Fayette County School District

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List A B C D E

Express Mail ET716362939US

**Before the
Federal Communications Commission
Washington, D.C. 20554**



In the Matter of the)	File No. SLD -
)	
Appeal of the Decision of the)	
)	
Universal Service Administrator by)	
the)	
)	
Fayette County School District)	
)	
)	
)	CC Docket No. 96 - 45
Federal-State Joint Board on)	
Universal Service)	
Changes to the Board of Directors of)	
The National Exchange Carrier)	
Association, Inc.)	CC Docket No. 97 - 21

**Appeal
and
Request for Expedited Relief
on behalf of the
Fayette County School District**

October 2, 2003

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W. Suite TW-A325
Washington, D.C. 20554

This is an appeal from a decision by the Schools and Libraries Division of the USAC.
Enclosed are the original and four copies of the Appeal. An extra copy is also enclosed.

Please time stamp the extra copy and return it to me in the enclosed self addressed-
stamped envelope.

(1) **Funding Commitment Decision Letter Appealed**

Form 471 Application Number: 338605
Funding Year 2003: 07/01/2003-06/30/2004
Billed Entity Number: 126709

Date of Funding Denial Notice: September 9, 2003
Date of Appeal: October 2, 2003

(2) **SLD Contact Information**

- (a) Linda Alexander
27600 Chagrin Blvd., Ste 260
Cleveland, OH 44122
Tel. (216) 682-0169
Fax. (216) 514-3337
- (b) Nathaniel Hawthorne, Attorney (To discuss this Appeal)
27600 Chagrin Blvd., Ste 265
Cleveland, OH 44122
Tel. (216) 514.4798

(3) **Funding Request Numbers Appealed**

FRN -968291

(4) **SLD's Reason for Funding Denial**

FRN 968291

The SLD stated that funding is denied because:

“Insufficient documentation. Applicant has not provided sufficient documentation to determine the eligibility of this item.”

(5) **The bases of the Appeal is that:**

- a) The Applicant has provided all documentation requested by the SLD during the Program Integrity Assurance process.
- b) **FRN 968291** is for local service. The SLD requested a copy of the existing bill. This was provided first on July 10, 2003 in answer to a PIA dated July

3, 2003. Supplemental documentation was requested on July 16, 2003 and was provided on July 23, 2003.

c) **Attachment A.** (Attachment A consist of a fax cover page, a copy of the bills, and the Applicant's fax log report documenting the fax on July 10, 2003).

d) **Attachment B.** (Attachment B consist of a fax cover page, a copy of the bills, and the Applicant's fax log report documenting the fax on July 23, 2003. No additional data was requested.

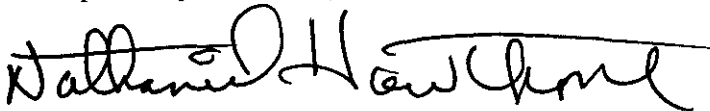
Conclusion:

Fayette is Requesting the Following Action by the FCC:

(a) **Within 90 days or less Order funding for the telecommunications services requested in the 471 Application, specifically FRN 968291;**

(b) **Set aside funds to totally fund Fayette's request.**

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nathaniel Hawthorne", written over a horizontal line.

Nathaniel Hawthorne

District of Columbia Bar No. : 237693
27600 Chagrin Blvd., Ste. 265
Cleveland, OH 44122
tel.: 216/514.4798
e-mail: nhawthorne@earthlink.net

Attorney for
Fayette County School District



Universal Service Administrative Company
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER

(Funding Year 2003: 07/01/2003 - 06/30/2004)

September 9, 2003

FAYETTE COUNTY SCHOOL DISTRICT
LINDA ALEXANDER
27600 Chagrin Blvd Suite 260
Cleveland, OH 44122-4449

Re: Form 471 Application Number: 338605
Funding Year 2003: 07/01/2003 - 06/30/2004
Billed Entity Number: 126709
Applicant's Form Identifier: FAYETTEYR6#1

Thank you for your Funding Year 2003 E-rate application and for any assistance you provided throughout our review. Here is the current status of the funding request(s) featured in the Funding Commitment Report at the end of this letter.

- The amount, \$144,458.64 is "Approved".
- The amount, \$54,594.00 is "Denied".

Please refer to the Funding Commitment Report on the page following this letter for specific funding request decisions and explanations.

NEW FOR FUNDING YEAR 2003

The Important Reminders and Deadlines immediately preceding this letter are provided to assist you throughout the application process.

NEXT STEPS

- Review technology planning requirements
- Review CIPA Requirements
- File Form 486
- Invoice the SLD using the Form 474 (service providers) or Form 472 (Billed Entity)

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. The enclosed report includes a list of the Funding Request Number(s) (FRNs) from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) upon the filing of your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that defines each line of the Report.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be POSTMARKED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.

FUNDING COMMITMENT REPORT

Form 471 Application Number: 338605
Funding Request Number: 968291 Funding Status: Not Funded
Services Ordered: Telecommunications Service
SPIN: 143001432 Service Provider Name: Verizon-West Virginia Inc.
Contract Number: T
Billing Account Number: N/A
Earliest Possible Effective Date of Discount: 07/01/2003
Contract Expiration Date: 06/30/2004
Annual Pre-discount Amount for Eligible Recurring Charges: \$60,000.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$7,400.00
Pre-discount Amount: \$67,400.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Insufficient documentation
Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item.

Funding Request Number: 968296 Funding Status: Funded ✓
Services Ordered: Telecommunications Service
SPIN: 143001192 Service Provider Name: AT&T Corp.
Contract Number: T
Billing Account Number: N/A
Earliest Possible Effective Date of Discount: 07/01/2003
Contract Expiration Date: 06/30/2004
Annual Pre-discount Amount for Eligible Recurring Charges: \$8,400.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$8,400.00
Discount Percentage Approved by the SLD: 81%
Funding Commitment Decision: \$6,804.00 - ERN approved as submitted

Funding Request Number: 968313 Funding Status: Funded ✓
Services Ordered: Telecommunications Service
SPIN: 143001432 Service Provider Name: Verizon-West Virginia Inc.
Contract Number: 1050107
Billing Account Number: N/A
Earliest Possible Effective Date of Discount: 07/01/2003
Contract Expiration Date: 06/30/2005
Annual Pre-discount Amount for Eligible Recurring Charges: \$144,420.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$1,200.00
Pre-discount Amount: \$145,620.00
Discount Percentage Approved by the SLD: 81%
Funding Commitment Decision: \$117,952.20 - ERN approved as submitted

Funding Request Number: 968317 Funding Status: Funded ✓
Services Ordered: Telecommunications Service
SPIN: 143000616 Service Provider Name: Hardy Cellular Telephone Company
Contract Number: C
Billing Account Number: N/A
Earliest Possible Effective Date of Discount: 07/01/2003
Contract Expiration Date: 06/30/2004
Annual Pre-discount Amount for Eligible Recurring Charges: \$21,924.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$21,924.00
Discount Percentage Approved by the SLD: 81%
Funding Commitment Decision: \$17,758.44 - ERN approved as submitted

ATTACHMENT A



Universal Service Administrative Company
Schools & Libraries Division

Date: July 3, 2003

Linda Alexander
Fayette County School District
216-682-0169
216-514-3337
Application Number 338605

As we discussed in our conversation, we are in the process of reviewing all Form 471 applications for schools and libraries discounts to ensure that they are in compliance with the rules of the federal universal service program. I am currently in the process of reviewing your Funding Year 2003 Form 471 Application. To complete my review I need some additional information. The information needed to complete the Review is listed below.

For **FRN 968291**, the documentation provided in the Item 21 Attachments is not sufficient to determine the eligibility of your request. The documentation does not sufficiently describe the products and services being requested, so we cannot determine the eligibility of your request.

Please provide more detailed documentation, such as the portion of the bill that identifies the actual products and services being delivered for the one time installation charge and monthly recurring. If the bill you receive does not identify the specific products and services being delivered, you will need to contact your vendor and request such documentation. The vendor should be able to provide you with a detailed bill identifying the specific products and services being provided.

For **FRNS 968317, 968330, 968341, 968355**, the documentation provided in the Item 21 Attachments is not sufficient to determine the eligibility of your request. The documentation does not sufficiently describe the products and services being requested, so we cannot determine the eligibility of your request.

Please provide more detailed documentation, such as the portion of the bill that identifies the actual products and services being delivered. If the bill you receive does not identify the specific products and services being delivered, you will need to contact your vendor and request such documentation. The vendor should be able to provide you with a detailed bill identifying the specific products and services being provided, which is sometimes called a C.R.I.S. Report.

Any documentation provided should clearly identify any ineligible charges that were cost allocated out of your request. If you are unable to justify the charges requested on your Form 471, the request may be reduced or denied.

Please fax or e-mail the requested information to my attention. If you have any questions please feel free to contact me.

It is important that we receive all of the information requested so PIA can complete its review. If you are unable to provide the requested information because your school has closed or will shortly close for summer break, please let me know when you will be available to respond to these questions. Failure to do so may result in a reduction or denial of funding.

If we do not receive the information within seven calendar days, your application will be reviewed using the information currently on file.

Thank you for cooperation and continued support of the Universal Service Program.

Sincerely,

Robin Greatorex
Schools And Libraries Division
Program Integrity Assurance
Phone: 973-581-6757
FAX: 973-599-6521
rgreato@sl.universalservice.org

TRANSMISSION VERIFICATION REPORT

TIME : 07/10/2003 15:49
NAME :
FAX :
TEL :

DATE, TIME	07/10 15:31
FAX NO./NAME	19735996521
DURATION	00:17:57
PAGE(S)	74
RESULT	OK
MODE	STANDARD ECM

FAX COVER SHEET

To: Robin Greatorex - SLD

Fax: 1.973.599.6521

From: Linda Alexander

Date: July 10, 2003

Subject: Fayette County School District//Application # 338605

Pages: 74 (Including Cover)

FRN: 968291

Verizon-Local Service - See attached bills pages 2 -45.

Also attached is a copy of the Item 21 attachment LS, which shows the addition of 37 new lines in Year 6. These 37 lines have an installation charge of \$200.00 per line. Attached you will find documentation from Verizon-West Virginia describing the tariffed non-recurring charges. See attached pages 46-47.

With the installation of the new lines, the monthly charge will increase accordingly.

FRN: 968317

Hardy - US Cellular - see attached bills page 48 - 71

FRN: 968330

Highland - Cellular One - see attached bill page 72

FRN: 968341

FAX COVER SHEET

To: Robin Greateorex – SLD
Fax: 1.973.599.6521
From: Linda Alexander
Date: July 10, 2003
Subject: Fayette County School District//Application # 338605
Pages: 74 (Including Cover)

FRN: 968291

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FRN: 968317

Hardy – US Cellular – see attached bills page 48 - 71

FRN: 968330

Highland – Cellular One – see attached bill page 72

FRN: 968341

NTelos – see attached bill page 73

FRN: 968355

AT&T – Wireless Services – see attached bill page 74

Linda Alexander, email: lalexander000@ameritech.net
Tel: 216.682.0169 Fax: 216.514.3337

The information contained in this facsimile message may be confidential and /or legally privileged information intended only for use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that copying, dissemination, or distribution of confidential or privileged information is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and we will arrange for the return of the facsimile



 Page 1 of 9
 Questions? Call: (800) 344-7710

 FAYETTE CO
 R E S A
 304 574-2901
Manage your account online at www.verizon.com

RECEIVED DEC 12 2002

Account Summary

Amount of last bill dated 11/5/02.....	\$137.69
Payment(s). Thank you, 11/21.....	\$137.69
Balance.....	\$.00
Verizon Services.....	\$138.03
Current Charges Due by 1/4/03.....	\$138.03
Total Amount Due by 1/4/03.....	\$138.03

A late payment charge not to exceed 1% applies to
any balance carried forward to next month's bill.

✓ To enroll in the Verizon Direct Debit
Payment Option, please read and
sign the agreement on the reverse
of the payment form.



Date _____

Chk # _____

Amount 138.03


11..92621.415.001

Please write in amount enclosed and send this coupon with your payment in U.S. funds to the address below

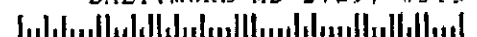


Account 000042340673 55Y

Total Amount Due 1/4/03 5138.03

 06 ***C001
 FAYETTE CO
 R E S A
 111 FAYETTE AV
 FAYETTEVILLE WV 25840-1219


 \$

 PO BOX 17577
 BALTIMORE MD 21297-0513


109000000423406735034006090000030000000000000000000013803200000

225440

Manage your account online at www.verizon.com

Valley Health

10900000042339840303400609000003000000000000000002046100000



Account 000014830980 08Y

Page 1 of 7

Questions? Call: (800) 562-2355

ADULT LEARNING CNTR
300 W OYLER AV
304 469-6963

Manage your account online at www.verizon.com

Account Summary

Amount of last bill dated 11/5/02.....	\$43.46
Payment(s) Thank you 11/21.....	\$43.46
Balance.....	\$.00
Verizon Services.....	\$43.88
Current Charges Due by 1/4/03.....	\$43.88
Total Amount Due by 1/4/03.....	\$43.88

✓ To enroll in the Verizon Direct Debit Payment Option, please read and sign the agreement on the reverse of the payment form.

A late payment charge not to exceed 1% applies to any balance carried forward to next month's bill.

PAID
Date 12-19-02
Account Telephone
Check No. 7034
Amount 43.88
Approval [Signature]

Please write in amount enclosed and send this coupon with your payment in U.S. funds to the address below



Account 000042340081 10Y
 Page 1 of 10
 Questions? Call: (800) 344-7710

FAY CO VO-TECH CTR
 300 W OYLER AV
 304 469-2911

Manage your account online at www.verizon.com

Account Summary

Amount of last bill dated 11/5/02.....	\$62.51
Payment(s). Thank you. 11/21.....	\$62.51
Balance.....	\$.00
Verizon Services.....	\$70.24
ILD Teleservices.....	\$29.95
Current Charges Due by 1/4/03.....	\$100.19
Total Amount Due by 1/4/03.....	\$100.19

✓ To enroll in the Verizon Direct Debit Payment Option, please read and sign the agreement on the reverse of the payment form.

A late payment charge not to exceed 1% applies to any balance carried forward to next month's bill.

PAID
 Date 1-10-02
 Account Telephone
 Check No. 7046
 Amount 100.19
 Approval [Signature]

Please write in amount enclosed and send this coupon with your payment in U.S. funds to the address below



#15

ID=
Page 1 of 10
Questions? Call: (800) 344-7710

P.17

VALLEY HIGH SCHOOL
PO BOX 459
304 442-8284Manage your account online at www.verizon.com**Account Summary**

Amount of last bill dated 11/1/02.....	\$117.73
Payment(s). Thank you. 11/12.....	\$117.73 <small>OK</small>
Balance.....	\$.00
Verizon Services.....	\$115.45
Current Charges Due by 12/31/02.....	\$115.45
Total Amount Due by 12/31/02.....	\$115.45

A late payment charge not to exceed 1% applies to
any balance carried forward to next month's bill.

✓ To enroll in the Verizon Direct Debit
Payment Option, please read and
sign the agreement on the reverse
of the payment form.

pd 12-10-02
ck# 7041
\$115.45
Adm
ell

Please write in amount enclosed and send this coupon with your payment in U.S. funds to the address below